

### **Remarks/Arguments**

Claims 1-5 are rejected, and claims 6-8 are withdrawn from consideration in the Office Action of December 2, 2005. Claims 1-6 and 8 are amended, claim 7 is cancelled and claims 9-14 are newly added herein.

### **Re: Election/Restriction**

Claims 1-8 are subject to a restriction requirement. In particular, the Examiner has designated the invention of claims 1-5 as Group I and the invention of claims 6-8 as Group II. During a telephone conversation on 11/28/05, Applicant's attorney provisionally elected with traverse to prosecute the invention of Group I (i.e., claims 1-5) in the instant Office Action. In view of the amendments included herein, Applicant respectfully requests withdrawal of this restriction requirement. In particular, the subject matter of independent claim 6 has been linked via amendment to the subject matter of elected independent claim 1. As will be explained later herein, the subject matter of this amendment clearly distinguishes independent claims 1 and 6 and their respective dependent claims over the prior art. Accordingly, Applicant respectfully requests that withdrawn claims 6 and 8 be reinstated and allowed.

### **Re: Claims 1-2 and 5**

Claims 1-2 and 5 are rejected under U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,348,932 issued to Nishikawa et al. (hereinafter, "Nishikawa et al.") in view of U.S. Patent No. 6,020,880 issued to Naimpally (hereinafter, "Naimpally"). Applicant respectfully traverses this rejection since neither Nishikawa et al. nor

Naimpally, whether taken individually or in combination, teaches or suggests all elements of the claimed invention. It is first noted that amended independent claim 1 defines a method for forming a combined program guide with a stand-alone internet receiver coupled to a stand-alone digital video receiver. The method includes:

“receiving the ***first program guide information from a first signal source***;

receiving the second program guide information from the stand-alone digital video receiver, wherein the stand-alone digital video receiver receives the ***second program guide information from a second signal source***;

***integrating the first program guide information with the second program guide to form the combined program guide***; and

outputting data representative of the combined program guide to a display device.” (emphasis added)

As indicated above, independent claim 1 defines a method for forming a combined program guide using a stand-alone internet receiver coupled to a stand-alone digital video receiver. In particular, the combined program guide is formed from first program guide information provided from a first signal source and second program guide information provided from a second signal source. That is, independent claim 1 addresses the problem of providing a combined program guide when different stand-alone devices receive different program guide information from different signal sources.

Neither Nishikawa et al. nor Naimpally, whether taken individually or in combination, teaches or suggests, *inter alia*, the aforementioned elements of the claimed invention. Nishikawa et al. discloses an integrated satellite/internet receiver capable of receiving both satellite and internet data (see Abstract), but fails to teach or suggest a stand-alone internet receiver that is coupled to a stand-alone digital video

receiver as required by claim 1. Nishikawa et al. also fails to teach or suggest the ability to form a combined program guide from first and second program guide information received from first and second signal sources, respectively. Naimpally fails to remedy this deficiency of Nishikawa et al. While Naimpally discloses a method and apparatus for receiving and providing different types of program guide information (e.g., terrestrial, cable, satellite), Applicant notes that Naimpally receives all such program guide information from a single source, namely an Electronic Program Guide Server (EPGS) (see, for example, second line of Abstract and column 4, lines 1-3). Accordingly, neither Nishikawa et al. nor Naimpally, whether taken individually or in combination, teaches or suggests, *inter alia*, a method for forming a combined program guide from first program guide information provided from a first signal source and second program guide information provided from a second signal source, as claimed. As such, the references fail to even recognize the problem addressed by the claimed invention, namely the ability to provide a combined program guide when different stand-alone devices receive different program guide information from different signal sources. Accordingly, Applicant respectfully requests withdrawal of this rejection. Applicant further notes that independent claim 6 (previously withdrawn by the Examiner) has been amended in a manner similar to independent claim 1, and is thereby deemed allowable for at least the same reasons.

#### **Re: Claims 3-4**

Claims 3-4 are rejected under U.S.C. § 103(a) as being unpatentable over Nishikawa et al. in view of Naimpally, and further in view of U.S. Patent No. 5,941,968

issued to Mergard et al (hereinafter, "Mergard et al.") . Applicants respectfully traverse this rejection since Mergard et al. is unable to remedy the deficiencies of Nishikawa et al. and Naimpally pointed out above. That is, Mergard et al. also fails to teach or suggest, *inter alia*, a method for forming a combined program guide from first program guide information provided from a first signal source and second program guide information provided from a second signal source, as claimed. Accordingly, Applicant respectfully requests withdrawal of this rejection.

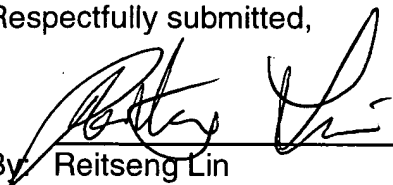
#### **Re: Newly Added Claims 9-14**

Claims 9-14 are newly added herein to alternatively define the present invention and are deemed allowable for at least the same reasons pointed above with respect to independent claims 1 and 6. Accordingly, Applicant respectfully requests allowance of newly added claims 9-14.

#### **Conclusion**

In view of the foregoing amendments and remarks, Applicant believes that this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,



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### CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

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